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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,830	01/19/2001	Satish Sundar	3492/ALRT/DD/BCVD/JW	9916

32588 7590 09/20/2002

APPLIED MATERIALS, INC.
2881 SCOTT BLVD. M/S 2061
SANTA CLARA, CA 95050

EXAMINER

UNDERWOOD, DONALD W

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 09/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765 830

Applicant(s)

Sundar

Examiner

Underwood

Group Art Unit

3652

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 07/10/02
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1, 2, 5-15, 18-29 is/are pending in the application.
- Of the above claim(s) NONE is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1, 2, 5-15, 18-29 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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Detailed Action

1. In claim 5, line 1, and claim 18, line 1, "linkage" should be --link--. See claims 1 and 11.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 6, 7, 11, 12, 13, 14, 19, 20, 21 and 24-29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Bacchi et al '444.

Regarding claims 24-29, note Figure 10 wherein each blade can be moved to an aligned position A or an offset position B or C.

4. Claims 1, 6, 7, 11, 12, 13, 14, 19, 20, 21 and 24-29 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Bacchi et al '768.

Regarding claims 24-29, note Figure 9.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bacchi et al '444 or '768 in view of Hiruma et al.

It would have been obvious to use a stepper motor for each motor in either primary reference in view of the teaching in Hiruma if desiring to save weight.

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7. Claims 5, 8, 9, 10, 18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bacchi et al '444 or '768 in view of Tepolt.

It would have been obvious to use two segment arms instead of three segment arms in either primary reference in view of the teaching in Tepolt. This would provide a unitary main linkage.

Regarding claims 10 and 23, the 2 to 1 ratio is standard for a straight line movement and would have been obvious in a two arm system. Note Bacchi illustrates this straight line movement in Figure 3. This would provide the claimed rate movement of the arm and blade.

8. Applicant's arguments have been carefully considered but are not deemed persuasive. Motor 50R and 50L in Bacchi '444 and '768 extend and retract their respective arms. Motors 52R and 52L can be used to provide additional operation but applicant's claims do not preclude these additional motors. See Bacchi '444, the paragraph bridging columns 5 and 6 and Bacchi '768, column 7, lines 46-59.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication should be directed to D. Underwood at telephone number (703) 308-1113.

Underwood/kl
September 19, 2002

Donald W. Underwood 09/20/02
DONALD W. UNDERWOOD
PRIMARY EXAMINER